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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Note verbale dated 3 January 1994 from the Permanent Mission of Iraq to the United Nations Office at Geneva addressed to the Commission on Human Rights

The Permanent Mission of the Republic of Iraq presents its compliments to the Commission on Human Rights and has the honour to inform it that, on 17 August 1993, patrols belonging to the Kuwaiti regime abducted Khalid Rahim Wali, a 15-year-old Iraqi born in 1978, from his father's farm situated in the Safwan sub-district of Basra. As part of its persistent attempts to besmirch Iraq's reputation in the eyes of Arab and international public opinion, the Kuwaiti authorities fabricated a charge to the effect that the said young man was spying on military positions of the Kuwaiti self-defence force, as a result of which, on 27 November 1993, one of Kuwait's repressive courts sentenced him to life imprisonment. He was visited in Kuwait by a delegation from the International Committee of the Red Cross, which assigned him a number (308575) and transmitted a letter from him to his family in Iraq.

The Permanent Mission is sending this note in order to draw the attention of the distinguished Commission on Human Rights to a number of facts concerning the recurrent incidents of aggression and abduction to which Iraqi farmers and other citizens living in various parts of the sub-district of Safwan have been subjected:

1. The above-mentioned abduction was not the first of its kind, since it was preceded by numerous acts of aggression and abduction of Iraqi citizens by patrols belonging to the Kuwaiti regime. The International Committee of the Red Cross has been duly informed thereof.

2. The abducted person in question was a 15-year-old boy born in 1978 and was not 19 years old as alleged by the repressive Kuwaiti authorities (official documents establishing his true age and academic level are enclosed herewith). Accordingly, the Permanent Mission can affirm that the sentence imposed on him should be deemed null and void since it emanated from a court that was not empowered to pass such a sentence on a juvenile of that age.

3. The manner in which the said Iraqi juvenile was tried on the basis of misleading and spurious allegations constitutes, in itself, a flagrant violation not only of the Geneva Conventions of 1949 but also of the provisions of the Charter of the United Nations and the principles of human rights.

4. In the light of paragraphs 1, 2 and 3 above, the Commission on Human Rights should take rapid and urgent steps to bring pressure to bear on the Kuwaiti regime with a view to securing the cessation of its repressive and inhuman practices against Iraqi and Arab citizens living in Kuwait and also with a view to preventing that regime from enforcing the unjust sentence that it imposed on that juvenile and securing his immediate release and his return to his family in Iraq.